

Message Text

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ACTION IO-14

INFO OCT-01 ARA-16 EUR-25 ISO-00 CIAE-00 DODE-00 PM-07

H-03 INR-11 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01

SP-03 SS-20 USIA-15 AF-10 EA-11 NEA-14 DRC-01 ACDA-19

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R 042308Z OCT 74

FM USMISSION USUN NEWYORK

TO SECSTATE WASHDC 5994

INFO AMEMBASSY SANTIAGO

AMEMBASSY MOSCOW

AMEMBASSY LONDON

AMEMBASSY THE HAGUE

C O N F I D E N T I A L SECTION 1 OF 2 USUN 3716

E.O. 11652: GDS

TAGS: UNGA, SOCI

SUBJ: 29TH UNGA--THIRD COMMITTEE, RESOLUTION ON DENIAL OF
HUMAN RIGHTS IN CHILE

1. SUMMARY. SOV BLOC MEMBERS, CUBA AND MONGOLIA, REPORTEDLY
PLANNING TO INTRODUCE RES DENOUNCING CHILEAN JUNTA FOR HUMAN
RIGHTS VIOLATIONS, ALONG LINES OF RES PASSED BY SUB-
COMMISSION OF HUMAN RIGHTS COMMISSION LAST AUGUST. NETHER-
LANDS AND UK HOPE TO PREEMPT THIS MOVE BY INTRODUCING BLAND
PROCEDURAL RES ENDORSING RECOMMENDATION OF SUB-COMMISSION
THAT HRC STUDY REPORTED VIOLATIONS OF HUMAN RIGHTS IN
CHILE. MISOFF EXPLAINED BACKGROUND TO GOC REP,
SERGIO DIEZ, FORMER LAW PROFESSOR AND SENATOR, AND ASKED
WHETHER GOC WOULD ACCEPT THIS APPROACH. DIEEZ REACTED
STRONGLY STATING HE WOULD RATHER REPLY
WITH COUNTERATTACK ON SOVIETS OWN VIOLATIONS THAN ACCEPT
PROCEDURAL RES THEREBY ACKNOWLEDGING JURISDICTION OF UN.
END SUMMARY

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2. UNDER ITEM 12, REPORT OF ECOSOC, THIRD COMITE WILL CONSIDER

QUESTION OF TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT ON WHICH SYG HAS PREPARED NOTE (A/9767). THIS NOTE INCLUDES AS ANNEX II, RES 8 (XXVII) OF SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES, WHICH AMONG OTHER THINGS NOTED "THE SERIOUS CONCERN EXPRESSED BY THE COMMISSION ON HUMAN RIGHTS ABOUT GROSS AND MASS VIOLATIONS OF HUMAN RIGHTS IN CHILE, PARTICULARLY THOSE INVOLVING A THREAT TO HUMAN LIFE AND LIBERTY," AND EXPRESSED ITSELF AS BEING "DEEPLY CONCERNED ABOUT REPORTS OF GROSS VIOLATIONS OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN CHILE INCLUDING ARBITRARY ARREST, TORTURE, CRUEL AND INHUMAN TREATMENT OF THE PRISONERS AND DETAINEES IN GOALS AND CONCENTRATION CAMPS." IN ITS OPERATIVE PART RES APPEALED TO GOC TO TAKE ALL NECESSARY STEPS TO RESTORE AND SAFEGUARD BASIC HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN CHILE AND RECOMMENDED "THAT HRC AT ITS 31ST SESSION STUDY REPORTED VIOLATIONS OF HUMAN RIGHTS IN CHILE, WITH PARTICULAR REFERENCE TO TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT.Z

3. CONSIDERATION OF ITEM 12 BEGINS WEDNESDAY, OCT 9. MONGOLIA AND CUBA ARE REPORTEDLY WORKING ON A DRAFT WHICH WILL ONCE AGAIN CITE CHILEAN JUNTA FOR HUMAN RIGHTS VIOLATIONS. WHEN IT APPEARED THAT FRIENDLY THIRD WORLD DELS HAD NOT YET BEEN GIVEN COPIES OF THIS DRAFT RES, WE APPROACHED SOVIETS DIRECTLY AND ASKED THEM THEIR INTENTIONS. FOR WHAT IT'S WORTH, SOV DEL S. N. SMIRNOV INFORMED MISOFF THAT CUBAN/MONGOLIAN RES WOULD FOLLOW LINES OF SUB-COMMISSION'S RES DESCRIBED ABOVE, AND THAT IT WOULD BE COINED IN LANGUAGE WHICH WOULD MAKE IT DIFFICULT FOR ANY DEL TO VOTE AGAINST IT, ALTHOUGH SOME MIGHT ABSTAIN. ALTHOUGH WE DOUBT SOVIETS THEMSELVES WOULD MENTION US BY NAME IN CONNECTION WITH HUMAN RIGHTS VIOLATIONS BY CHILEAN JUNTA, THEY WOULD NOT NECESSARILY RESTRAIN CUBANS FROM DOING SO.

4. ALTHOUGH SOV BLOC WOULD ALMOST CERTAINLY TRY TO AMEND MILD NETHERLANDS/UK RES TO INCLUDE LANGUAGE CONDEMNING CHILE, WE BELIEVE IT BETTER TO START OFF FROM THAT INNOCUOUS BASE THAN TO BEGIN WITH CONDEMNATORY RES. MOREOVER, WE
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BELIEVE IT LESS LIKELY THAT A SUCCESSFUL ATTACK ON US
ROLE COULD BE MADE THROUGH AMENDMENT.

5. WHEN WE SHOWED NETHERLANDS/UK RES TO CHILEAN REP IN THIRD COMITE. SERGIO DIEZ, WHO IS A FORMER LAWYER, LAW PROFESSOR, AND SENATOR, HE STATED THAT ACCEPTANCE BY CHILE OF SUCH A RES WOULD MEAN ACCEPTANCE OF ALL ALLEGATIONS IN RES 8, ALTHOUGH WE EXPLAINED THAT DRAFT RES ONLY ENDORSES

RECOMMENDATION OF RES 8, NOT THE WHOLE TEXT DIEZ STATED
THAT SINCE UN ATTACKS ONLY SMALL COUNTRIES AND
DOES NOT ATTACK USSR WHICH IS GREATEST VIOLATOR OF ALL,
IT HAS NO MORAL JURISDICTION AND THA HE WOULD RESPOND
WITH ATTACK FROM CUBA/MONGOLIA WITH ATTACK UPON USSR ITSELF.
HE NOTED WITH SATISFACTION THAT DURING PAST YEAR THERE HAVE
BEEN NO TERRORIST ATTACKS IN CHILE, BECAUSE ALL TERRORISTS
ARE IN JAIL. CHILE, HE SAID, WAS NOT WILLING TO SACRIFICE
THAT ACHIEVEMENT FOR A VOTE IN THE UN. SOV BLOC ABILITY TO
RALLY VOTES OF AFRICAN AND ASIAN DELS MEANT NOTHING
TO CHILE. WE EXPLAINED THAT WESTERN EUROPEANS AND WE OURSELVES
ARE TRYING TO IMPROVE UN HUMAN RIGHTS MACHINERY SO
THAT IT WILL OPERATE EQUALLY AGAINST LARGE AND SMALL
OFFENDERS, BUT THAT WE COULD NOT IGNORE REPORTS ABOUT
CONDITIONS IN CHILE FROM SUCH REPUTABLE AGENCIES AS OAS
HUMAN RIGHTS COMMISSION. HE SAW SOME RELEVANCE IN THIS AND
AGREED TO DISCUSS MATTER WITH HIS ABMASSADOR AND SANTIAGO,
BUT WE ANTICIPATE HE WILL NOT BE AUTHORIZED GO ALONG WITH
UK/NETHERLANDS APPROACH, WHICH FOLLOWS:

QTE: THE GENERAL ASSEMBLY,

CONVINCED OF ITS RESPONSIBILITY TO ENSURE THE PROTECTION
OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS,

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C O N F I D E N T I A L SECTION 2 OF 2 USUN 3716

NOTING THAT SERIOUS CONCERN CONTINUES TO BE EXPRESSED ABOUT THE PROTECTION OF HUMAN RIGHTS IN CHILE, CONSIDERING THAT THE SITUATION IN CHILE HAS BEEN SUBJECT OF DISCUSSIONS IN THE COMMISSION OF HUMAN RIGHTS AT ITS 30TH SESSION, THE ECONOMIC AND SOCIAL COUNCIL AT THE 56TH SESSION AN THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES DURING ITS 27TH SESSION , TAKING INTO ACCOUNT RESOLUTION 8(XXVII) OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES, ENDORSEES THE RECOMMENDATION OF THE SUB-COMMISSION "THAT THE COMMISSION ON HUMAN RIGHTS AT ITS THIRTY-FIRST SESSION STUDY THE REPORTED VIOLATIONS OF HUMAN RIGHTS IN CHILE, WITH PARTICULAR REFERENCE TO TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT IN CHILE" , IN CONSIDERING THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS. UNQUOTE SCALI

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